

DELEGATED DECISION REPORT

SMD/2026/0100
Valid 10/03/2026

LAND ADJACENT TO 24
CAULDON CLOSE
LEEK

PERMISSION IN PRINCIPLE
APPLICATION FOR THE
CONSTRUCTION OF A
DETACHED DWELLING

(PERMISSION IN PRINCIPLE)

MAIN ISSUES

- Location
- Amount
- Land use

DESCRIPTION OF SITE

Although located adjacent to 24 Cauldon Close the site is in the ownership of High Barn at Fynney Street and connects with the gardens to High Barn. The site is a 40 metre long by c.9 metre wide rectangular strip. Existing vehicle access is available via a narrow and right-angled track from Compton /Cheddleton Rd where it connects to the road between All Saints' Church and the Old Vicarage. There is no vehicle access from Fynney Street as the site is at an appreciably lower land level. An initial 1/3 to 1/2 of the plot, from its vehicle gateway, is generally level and mainly down to hard surface. The remainder of the site however climbs moderately steeply up towards High Barn.

It is understood that the initially level westerly end of the plot has previously accommodated a garage, now removed, and a large touring caravan is currently parked in storage in this position. The remainder of the plot as it climbs the slope appears as well-cared-for garden to High Barn.

There are two Yew trees protected by TPO in the north west corner near to the gate. The northerly side edge of the land at this point is marked by a high brick wall. This marks a boundary with the Leek Conservation Area which the application site lies outside of.

To the south side is 24 Cauldon Close with a gable end including a gable end first floor window and ground floor window facing the plot.

High Barn is Grade II Listed and All Saints Church is Grade 1 Listed.

A public footpath right of way (Leek 27) follows the route of the access track from Compton / Cheddleton Road and passes by the south west end of the plot as it continues on its route south or south east to Cauldon Close.

PROPOSAL

As in the description at the head of this report. As first submitted the applicant included reference in the description to construction of a detached “*low cost energy efficient house*”. However in discussion with the LPA the applicant has opted to omit this wording from the description on the basis that it goes beyond the simple terms for determining planning in principle (PIP) by entering into elements of detail that are beyond the scope of PIP.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan (adopted 9th September 2020)

- SS1 Development Principles
- SS2 Settlement Hierarchy
- SS5 Leek Area Strategy
- DC1 Design
- DC2 The Historic Environment
- DC3 Landscape and Settlement Setting
- H1 New Housing Development
- NE1 Biodiversity and Geological Resources
- NE2 Trees, Woodland and Hedgerows
- T1 Development and Sustainable Transport

National Planning Policy Framework (Dec 2024)

Paragraph(s) 1 – 14;

Section(s) 4 – Decision making; 5 – Delivering a sufficient supply of homes; 6 – Building a strong and competitive economy; 7 – Ensuring the vitality of town centres; 8 – Promoting healthy and safe communities; 9 – Promoting sustainable transport; 11 – Making effective use of land; 12 – Achieving well designed places; 15 – Conserving and enhancing the natural environment; 16 – Conserving and enhancing the historic environment.

Adopted Supplementary Planning Documents/Guidance (SPD/G):

- Space About Dwellings SPG
- Design Principles SPG
- Design Guide SPD adopted 21st February 2018

Local Plan Supporting Evidence Documents:

- Landscape and Settlement Character Assessment (2008)

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None on record directly related to the land of this site.

CONSULTATIONS

Publicity

A site notice was placed both on Fynney Street adjacent to High Barn and on Cauldon Close adjacent to no.24 where the Public Footpath connects through.

Site Notice (x2) expiry date: 22.04.2026
Neighbour consultation period ends: N/A
Press Advert: 15.04.2026

Public Comments

None

Town / Parish Comments

Leek Town Council – the Council would like the Public Rights of Way comments by the Peak and Northern Footpaths Society to be examined in relation to the application and the path protected.

Footpath user-groups

Ramblers Association: PROW Leek Town 27 runs down the side of the proposed development. The driveway passes the location which is owned by the applicant, but this is a public footpath and must remain so at all times.

Peak and Northern Footpaths Society: Use of the PROW and the safety of users must not be affected by the development, nor during the work taking place.

Staffordshire County Council public rights of way section

The following should be brought to the attention of the applicant and noted in the planning consent if granted: Public Footpath No. 27 Leek Town runs along the access to the application site (partially along the driveway), and immediately west/south west of the proposed development. Public Footpath No. 26 Leek Town runs west of the proposed development. Users of the path must be able to exercise their public rights safely and at all times and the path be reinstated if any damage to the surface occurs as a result of the proposed development.

Staffordshire County Council Highways

Recommends conditional acceptance.

The site is located/accessed off Compton (Road No. A520) an A classified road, subject to a 30mph speed limit and has footways and streetlighting. Compton is a main route into Leek from the south.

The site is to the rear of 24 Cauldon Close, there is pedestrian access from the site to Cauldon Close (public right of way footpath Leek Town No.27).

Vehicle access to the development site is off the A520 and is shared with the recreation room (All Saints Church Hall) and car park. Access to the site will connect to the shared access.

No floor plan of the property or plan identifying parking has been submitted with the application.

Staffordshire Moorlands Parking Standards state that a property of up to 3 bedrooms requires 2 parking spaces (2.4m x 4.8m each space) for residents and visitors. A property of 4 or more bedrooms requires 3 parking spaces (2.4m x 4.8m each space).

The Parking Standards also state that a single garage should measure 3m wide by 6m long or a double garage should measure 6m wide by 6m long (minimum internal dimensions).

No objection subject to the following being secured via conditions:

Any future planning applications will require full details which shall include, car parking and turning for the proposed dwelling to meet with Staffordshire Moorlands District Council Parking Standards (2.4m x 4.8m each space).

This approval is only relating to in principle of the development. Parking should meet with the Parking Standards and turning should be demonstrated. The red outline plan does not connect with the adopted highway.

Public right of way footpath Leek Town No.27 route runs along the shared access and the access to the development site. It is noted that Staffordshire County Council Public Right of Way Team have been consulted.

Environmental Health

No objection subject to conditions. They comment that there may have been historic contamination of the site due to an outbuilding which may have some associated contamination (e.g chemicals / asbestos). A full contamination assessment would appear too onerous, however, it would be advisable that all soft landscaped / garden areas are tested for contaminants (including Asbestos screen) to ensure suitability of use areas. Conditions are recommended.

Severn Trent Water

As this application at this stage does not relate to drainage, we would not be able to provide comment. However, we would like to advise that if this application progresses, we would request the inclusion of the following drainage condition:

The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved in writing by the Local Planning Authority etc.

SMDC waste collection services

Bins from this new build property will need to be presented for collection at the curtilage of the property where the property meets the highway. There will need to be storage space on the development sufficient to stand 3 wheeled bins and A food waste caddy.

SMDC Arboriculture Officer

As the applicant seeks permission in principle, there is insufficient information regarding the layout, scale and construction of the proposed development to enable a full assessment of potential impacts to trees. In the absence of a proposed layout, tree survey, arboricultural impact assessment and method statement prepared in accordance with BS 5837:2012 Trees in relation to design, demolition and construction - Recommendations, it is not possible to determine whether development could be accommodated without harm to trees located on and adjacent to the site.

Notwithstanding this lack of detail, the site itself contains trees protected by Tree Preservation Order SM.147 (Group 001) and is enclosed by mature trees both within and outside of the Leek Conservation Area. The character of the site is therefore heavily influenced by surrounding tree cover. It is noted that a significant number of trees have since been removed, outside of the Conservation Area, adjacent to the site, which alters the character of the site.

Without the detailed plans, a thorough assessment at this stage is not possible. Therefore, no objection is raised in principle. However, we recommend that we are consulted at the technical details stage to determine if a sustainable relationship between the proposed development and the trees to be retained on site can be achieved. It will be necessary at the technical details stage to assess the impact to the trees on site and indeed the relationship between the trees to be retained and the proposed development.

Conclusion and recommendations: In summary, it is not possible to give a comprehensive assessment of the relationship between trees and development, without proposed plans and detailed tree surveys, impact assessments and method statements. It is likely that the site may accommodate some development, subject to the details particularly concerning the layout and scale of that development. It will be necessary to demonstrate that a sustainable relationship can be achieved between the retained trees on site and the development, particularly trees protected by TPO. Therefore, the design should achieve sufficient space to retained trees on site, to prevent harm or loss both to the trees and the character of the Conservation Area. Careful consideration will need to be given to the construction of the site access, to prevent harm occurring to the protected trees. The existing site access currently runs through the root protection areas of those trees.

SMDC Heritage Conservation Officer

Summary of significance

The proposal would be situated immediately adjacent Leek Conservation Area and in the wider setting of several Listed Buildings.

Highbarn (Grade II) is a detached house designed by Reginald Longden for himself in an Arts and Crafts Vernacular Revival style. The building is constructed in brick, with some half-timbering, and pitched tile roof. It has an asymmetrical design with leaded light mullioned windows, large chimney stacks and projecting gables.

Ferne-lea and Cranford (Grade II) form a pair of houses dating c.1912 designed by Reginald Longden in an Arts and Crafts style. The building is constructed in brick with a plain tile roof. The houses have an asymmetrical design with two projecting gables, mullioned windows and leaded lights and large chimney stacks which are all characteristic of the architectural style.

The significance of these listed houses on Fynney Street relates to their retention of historic fabric and plan form, illustrative Arts and Crafts style, association with local architect and association with the development of suburban housing the early-20th century of Leek.

The Parish Church of All Saints (Grade I) is a c.1887 church designed by Norman Shaw, a famous Arts and Crafts architect. It is constructed in coursed squared rubble with a plain tiled roof and has internal décor associated with William Morris. Its significance is associated with the growth of places of worship in the late-Victorian period, integrity in its original designs, connection with nationally significant architects and designers and designed prominence in the street.

Assessment and Impact

The proposal seeks permission in principle for a dwelling on the site and no technical details have been submitted at this stage.

The existing site does not appear to have any historic association with the surrounding Listed Buildings and it makes a relatively neutral contribution to their setting as well as the setting of the adjacent Conservation Area.

There is a modern cul-de-sac development to the south of the site which is low-rise and does not dominate or distract from the setting or significance of the adjacent designated heritage assets. There may be some inter-visibility with the rear elevation of Highbarn (Grade II) which is of medium significance. But as the listed building is at higher topography, a dwelling on the site would not compete with or distract from views and appreciation of the listed building.

In addition, there may be some inter-visibility with the [Grade 1] listed church but not with key elevations or experience of the church and it would be at such a distance that it would not distract from the building's architectural interest.

The proposed development would be in proximity to these heritage assets but, subject to materials and detailing, it is considered that development of a single dwelling on the site would unlikely cause harm to the setting of the adjacent Listed Buildings and Conservation Area.

SMDC Heritage Conclusion

In summary, it is likely that a single dwelling has the potential to not cause harm to the setting of the Listed Buildings and Conservation Area and their special interest would

be preserved. This would comply with s.66 of the Act, Section 16 of the NPPF and policy DC2 of the Local Plan. There are no objections to the proposal from a conservation perspective, but we recommend we are consulted at the technical details stage to ensure design, detailing and materials are appropriate to the context.

Historic England

The response notes the proximity to the Grade 1 Listed All Saints' Church. On the basis of the information provided, Historic England has no significant concerns over this site being granted permission in principle provided that further detail is submitted, in order to fully assess the likely impact upon the setting of the listed building (church) and the character and appearance of the adjacent conservation area in accordance with the above published advice and in accordance with paragraph 207 of the NPPF.

We therefore recommend that the presence of these designated heritage assets and the need for development to have regard to their setting is recorded on the decision notice, taking into account potential mitigation measures or development criteria.

We formally request further consultation on this site at technical details consent stage. Please record this notification and ensure that we are consulted on any applications received as per Schedule 4 to the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Historic England Conclusion

In determination of the application, we encourage you to draw on the knowledge of local conservation officers, the county archaeologist and local heritage groups.

In assessing the site, we emphasise that you need to satisfy yourself that you have taken into account the NPPF, which *'has strong policies for protecting the built, natural and historic environment'*. The NPPF also requires you to ensure that a residential use is appropriate for the location and that a site can be made suitable for its new use. We also remind you to have regard to relevant policies in your development plan documents, and that you should draw on all relevant available information sources in making assessments on the suitability of potential sites.

We should like to stress that this opinion is based on the information provided by the Local Planning Authority in its consultation. To avoid any doubt, this does not affect our obligation to provide further advice and, potentially, object to specific proposals, which may subsequently arise where we consider that these would have an adverse effect upon the historic environment. We hope that these comments are useful and we look forward to being consulted at technical details consent stage.

OFFICER COMMENTS

Principle of Development

1. In its general approach, in accordance with policy SS1, the Council expects the development and use of land to contribute positively to the social, economic and

environmental improvement of the Staffordshire Moorlands. When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. This means that planning applications that accord with the policies in the Local Plan shall be approved without delay, unless material considerations indicate otherwise.

2. Policy SS2 sets out the settlement hierarchy for the District and requires that all development shall be of a scale and nature appropriate to the character and role of each area category within the hierarchy according to the individual area policies. The categories in the hierarchy and their policies are: towns (policies SS5 /6 and 7); larger villages (SS8); smaller villages (SS9) and the Other Rural Areas SS10. It is Policy SS5 for Leek which applies in the case of this application.

3. New housing development is supported in principle “on sustainable sites within the [Leek Town] Development boundary”. SS5(4) of the policy attaches importance to promoting Leek’s special character, for example by [first point]: *Conserving and enhancing buildings, sites and areas of heritage and cultural importance, including heritage assets, complemented by new distinctive, sensitively designed, high quality, sustainable buildings.*

4. Statutory background to Permission in Principle (PIP) begins with The Town and Country Planning (Permission in Principle) Order 2017 (SI 2017 no.402). This was followed with The Town and Country Planning (Permission in Principle) (Amendment) Order 2017 SI(2017) no. 1309 which came into force 1st June 2018.

5. The government provides published guidance to planning permission in principle beginning with paragraph 001 Reference ID: 58-001-20180615 in the Planning Practice Guidance (PPG). This introduces PIP as follows:

What is the permission in principle consent route?

The permission in principle consent route is an alternative way of obtaining planning permission for housing-led development which separates the consideration of matters of principle for proposed development from the technical detail of the development. The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second (‘technical details consent’) stage is when the detailed development proposals are assessed.

Paragraph: 001 Reference ID: 58-001-20180615

Revision date: 15 06 2018

6. At paragraph 012 Reference ID: 58-012-20180615 the guidance addresses: **What matters are within the scope of a decision on whether to grant permission in principle?** In full the paragraph in response reads:

The scope of permission in principle is limited to location, land use and amount of development. Issues relevant to these ‘in principle’ matters should be considered at the permission in principle stage. Other matters should be considered at the technical details consent stage. In addition, local authorities cannot list the information they require for applications for permission in principle in the same way they can for applications for planning permission.

7. In a further section (042 Reference ID: 58-042-20170728) the guidance addresses **What information sources and tools should local planning authorities use to support decisions on whether to grant permission in principle?** stating:

Local planning authorities should draw on relevant existing information sources and tools to support decisions on whether a grant of permission in principle is appropriate. These may include local sources of evidence eg the development plan evidence base, historic environment records or landscape character assessments and external information sources and tools eg advice published by statutory consultees.

Location and amount

Principle

8. Broadly the adopted planning policy establishes that in principle the development of a dwelling at this location is supported by SS5. There are however further significant discrete aspects of the location which will have a more site-specific bearing on whether the proposal for a single dwelling could be acceptable in principle at this location.

Highway access and public footpath right of way

9. Perhaps most critically the County Council Highways Authority has confirmed in its consultation response that the existing access off the 30mph A520 at Compton can be accepted as the means of vehicular access. Nothing is identified in the responses of either the Highways Authority or the County Council Public Rights of Way (footpaths) comments to suggest a fundamental in-principle reason to prevent or refuse the development due to the public footpath.

Protected Trees (Tree Preservation Order SM.174 G.001)

10. The Council's Tree Officer has advised that there is insufficient information available in the application as submitted at this stage to enable a full assessment of potential impacts to trees. In the context of determining a permission in principle application the question arising is whether the identified implications for trees are of such a scale that it is already clearly apparent that the site cannot or should not be developed as a matter of principle. On first assessment, all available information indicated to the Tree Officer that the site could not accommodate the development whilst at the same time adequately safeguarding trees and that therefore in principle it should not be supported. In discussion with the case officer a revised assessment has been received. The Tree Officer has concluded that the site has 'potential' to accommodate a development but confirmation of this will be subject to technical details both of the design and construction methods and an assessment of impacts on trees. There would also need to be confidence that acceptable living conditions for future occupiers could be achieved alongside trees to be retained.

11. In addition to the PPG extracts quoted above, the government's guidance in the PPG includes a further paragraph (003 Reference ID: 58-003-20190615) headed, **What is the technical details consent stage?** This states:

Following a grant of permission in principle, the site must receive a grant of technical details consent before development can proceed. The granting of technical details consent has the effect of granting planning permission for the development. Other statutory requirements may apply at this stage such as

those relating to protected species or listed buildings. Technical details consent can be obtained following submission of a valid application to the local planning authority. An application for technical details consent must be in accordance with the permission in principle that is specified by the applicant.

12. Whilst it could be envisaged that if there are significant adverse implications relating to trees, a site might be found unacceptable in principle at this first stage, for this site all considerations in relation to trees can suitably be reserved for assessment as matters for the technical details consent stage. It may or may not be found at that stage that an acceptable development would be achievable in arboriculture and tree amenity terms and in terms of occupier living conditions. This would depend upon such detailed specific matters as building position and size relative to the trees and orientation of window elevations. Expert tree assessment would be needed from the applicant compiled in accordance with the guidance and standards contained in the British Standard (BS 5837: 2012) *Trees in relation to design, demolition and construction – Recommendations*. This would enable an assessment of potential impacts of the development on existing trees and whether or not appropriate protection and mitigation measures might be achievable.

Heritage

13. The responses from both the Council's Conservation Officer and from Historic England lead to a conclusion that there are no in-principle reasons to reject this development in terms either of its location or amount (one dwelling) at this stage. Both responses make clear that the acceptability or otherwise of the development once submitted at the technical details stage will be a matter for further consideration and indeed consultation with the respective bodies at that stage.

Land use

14. A third element in the determination of permission in principle is to give consideration to 'land use'. At the present time the land is part of the accompanying ownership of High Barn and the appearance is domestic with a combination of formally arranged garden areas on rising ground and hard standing on level areas at the westerly end used for parking in association with High Barn. In essence the application site appears residential notwithstanding that it is somewhat removed from High Barn itself. In the event that development were to succeed in the proposed erection of a dwelling the resultant land use in planning terms would be unchanged from residential as it appears at the present time.

CONCLUSION / PLANNING BALANCE

15. No fundamental reasons have been identified to suggest that planning in principle should not be granted for a single dwelling at this location. Whether ultimately a dwelling can be found acceptable and achieve approval will be contingent on the information received at a future technical details stage application.

16. It is primarily on account of the location of this proposal being within the adopted Leek town development boundary that a recommendation to grant permission in principle is based.

OFFICER RECOMMENDATION : That permission in principle be granted

Case Officer: Arne Swithenbank

Recommendation Date: 16.05.2026 revised 21.05.2026

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council